

AUG 28 1996

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Director  
Newark Housing and Redevelopment Authority  
57 Sussex Avenue  
Newark, New Jersey 07103

Re: Request for Information Under 42 U.S.C. §9601 et seq.  
Diamond Alkali Superfund Site, Passaic River Study Area

Dear Sir/Madam:

The United States Environmental Protection Agency ("EPA") is investigating the presence of hazardous substances in the sediments of the Passaic River. EPA is charged with responding to the release and/or threatened release of hazardous substances, pollutants and contaminants into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. §9601 et seq.

In this "Request for Information", EPA requests information concerning the nature and quantity of certain materials (hazardous substances and hazardous waste, as those terms are defined in Section 101(14) of CERCLA, 42 U.S.C. §9601(14), and Section 1004 of RCRA, 42 U.S.C. §6903 respectively) which may have been generated, treated, stored, or disposed at your facilities located at Avenue P (Parcel 103-9X) and at 900 McCarter Highway/Center Street, both in Newark, New Jersey. EPA makes its request pursuant to Section 104 of CERCLA, 42 U.S.C. §9604.

Pursuant to these statutory provisions, EPA hereby requires that you provide the information requested in Attachment A of this letter, and include, as required, the "Certification of Answers to Request for Information," with your notarized signature.

In preparing your response to this "Request for Information," please follow the instructions provided in Attachment B.

ERRD for  
WAGNER  
8/10/96

ERRD  
RICHMAN  
8/14

ERRD  
HAUPTMAN  
8/14/96

ERRD  
VAUGHN  
8/14/96

ERRD  
MCCABE

ERRD  
CASPE  
8/20

851320001

Your response to this "Request for Information" should be postmarked or received by EPA within thirty (30) calendar days of your receipt of this letter. Your response should be mailed to:

Mr. Lance R. Richman, P.G.  
Emergency and Remedial Response Division  
U.S. Environmental Protection Agency  
290 Broadway, 19th Floor  
New York, New York 10007-1866

with a copy to Ms. Amelia Wagner, Assistant Regional Counsel, Office of Regional Counsel, 17th Floor, at the same address.

Your failure to respond to this "Request for Information" within the time specified above may subject you to an enforcement action under Section 104(e)(5) of CERCLA, 42 U.S.C. §9604(e)(5). An enforcement action may include the assessment of penalties of up to \$25,000 for each day of continued noncompliance.

Be advised that you are under a continuing obligation to supplement your response if information not known or not available to you as of the date of submission of your response should later become known or available. If at any time in the future you obtain or become aware of additional information and/or find that any portion of the submitted information is false, misleading or misrepresents the truth, you must promptly notify EPA. If any part of your response is found to be untrue, you may be subject to criminal prosecution.

If desired, you may assert a business confidentiality claim covering all or part of the information requested by this letter. The claim must be supported by each of the four factors specified in Section 104(e)(7)(E) of CERCLA, 42 U.S.C. §9604(e)(7)(E), and must be asserted at the time of submission, by placing on (or attaching to) the information a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret", or "proprietary", or "company confidential". Information covered by such a claim will be disclosed by EPA only to the extent and by means of procedures set forth in Title 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

If you have any questions concerning this "Request for Information," please contact Mr. Richman, of my staff, at (212)637-4409 or Ms. Wagner at (212)637-3141. Inquiries from attorneys should be directed to Ms. Wagner. Your cooperation is appreciated.

Sincerely yours,

Richard L. Caspe, Director  
Emergency and Remedial Response Division

Enclosures

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of \_\_\_\_\_:

County of \_\_\_\_\_:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that the Authority is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the Authority's response thereto should become known or available to the Authority.

\_\_\_\_\_  
NAME (print or type)

\_\_\_\_\_  
TITLE (print or type)

\_\_\_\_\_  
SIGNATURE

Sworn to before me this  
day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Notary Public

851320004

ATTACHMENT A

REQUEST FOR INFORMATION

Background

The United States Environmental Protection Agency ("EPA") is investigating the release of hazardous substances into the Passaic River. EPA has information indicating that hazardous substances from your facilities located at Avenue P (Parcel 103-9X) and 900 McCarter Highway/Center Street, both in Newark, New Jersey may have been discharged into the Passaic River.

Please provide the information requested below, including copies of all available documentation that supports your answers.

1) For each facility designated above:

a) How long has the Authority operated at the facility designated above? If it no longer operates at a facility, during what years did it operate at the facility?

b) What activities does or did the Authority perform or have performed on each Site?

c) Does the Authority own the facilities at the locations designated above? If so, from whom did your Authority purchase the property and in what year? If the Authority subsequently sold the property, to whom did the Authority sell it and in what year? Please provide copies of any deeds and documents of sale.

d) If the Authority does not or did not own the facilities, from whom did the Authority rent the facility and for what years? Please provide copies of any rental agreements.

e) Please describe in detail the Site as it was at the time that the Authority took it over.

f) To the extent that you know, please provide the names of all parties who owned or operated the facility during the period from 1940 through the present. Describe the relationship, if any, of each of those parties with your Authority.

2) a) EPA has information that drums were removed from the Avenue P facility. Please provide a detailed description of this activity, including any pre- and post-removal sampling of ground water, surface water, and soils and any reports generated as a result of this work. Also, please provide information relating to the ultimate disposal of any contaminated materials.

b) Please provide all information regarding previous operations at the Site prior to the Authority's ownership of the Site.

3) For each of the locations designated above:

a) Did the Authority receive, utilize, manufacture, discharge, release, store or dispose of any materials containing the following substances:

	Yes	No
2,3,7,8 tetrachlorodibenzo-p-dioxin		
or other dioxin compounds		
Acetone		
Acids		
If "yes", please list specific acids.		
Anthracene		
b-BHC		
Base Neutral Compounds		
If "yes", please specify compound.		
Benzene		
Benzo(a)pyrene		
Benzo(b)fluoranthene		
Benzo(k)fluoranthene		
2-chloro-1,4-diethoxy-5-nitro benzene		
5-chloro-2,4-dimethoxyaniline		
Chlorobenzene		
Chrysene		
1,1 dichloroethane		
1,1 dichloroethylene		
Ethyl benzene		
Fluoranthene		
Fluorene		
Heptachlor		
Methyl ethyl ketone (2-butanone)		
Methyl isobutyl ketone		
Naptha		
Napthalene		
Pesticides		
If "yes", please list specifically.		
Phenanthrene		
Phosphorous oxychloride		
Phosphorous trichloride		
Polyaromatic Hydrocarbons		
If "yes", please list specific compounds.		
Pyrene		
Inorganic salts		
If "yes", please list specific inorganic salts.		
Solvents		
If "yes", please list specific solvents.		
Sulfides		
If "yes", please specify compound.		
1,1,2,2 tetrachloroethane		
Tetrachloroethylene		
Toluene		
Trichloroethylene		
1,1,1 trichloroethane		

	Yes	No
1,1,2 trichloroethane trimethylsilane	—	—
Xylene	—	—
PCBs	—	—
Antimony	—	—
Arsenic	—	—
Beryllium	—	—
Cadmium	—	—
Chromium	—	—
Copper	—	—
Lead	—	—
Mercury	—	—
Nickel	—	—
Selenium	—	—
Silver	—	—
Zinc	—	—
Cyanide	—	—

b) Does the Authority have reason to believe that any of the foregoing list of hazardous substances were received, utilized, manufactured, discharged, released, stored or disposed of at either of the facilities by any other party or parties? If so, please identify which of the compounds and the name of the party or parties.

4) For each facility, please describe the methods of collection, storage, treatment, and disposal of all hazardous substances, including, but not limited to, the substances listed in response to item (3) that the Authority has employed since it has been at the facility. Include information on the following:

a) Identify all persons who arranged for and managed the processing, treatment, storage and disposal of hazardous substances.

b) If hazardous substances were taken off-site by a hauler or transporter, provide the names and addresses of the waste haulers and the disposal site locations.

c) Describe all storage practices employed by the Authority with respect to all hazardous substances from the time operations commenced until the present. Include all on-site and off-site storage activities.

i) If drums were stored outside, were the drums stored on the ground or were they stored on areas that had been paved with asphalt or concrete? Please provide a complete description of these storage areas.

ii) When drums were stored outside, were empty drums segregated from full drums?

5) EPA has information relating to the release of hazardous substances onto the ground and into the Passaic River as a result of the demolition of three vacant buildings on the 900 McCarter Highway/Center Street property in 1991 which resulted in crushing approximately fifty, fifty-five gallon drums. Please describe the contents of the drums. Also, please provide all other information relating to these spills and any measures taken to mitigate the impact of the spills.

6) For each facility:

a) i) Did any storm sewers, catch basins or lagoons exist at any time at the facility and if so, during what years?

ii) If catch basins or lagoons existed, were they lined or un-lined?

iii) What was stored in the lagoons?

iv) Where was the discharge from any of these structures released and during what years? Was this discharge treated before its release and if so, how and during what years? What was the chemical composition of any waste waters released, and during which years?

b) Please supply diagrams of any waste water collection, transport or disposal systems on the property.

7) Were any hazardous substances, including, but not limited to, the substances listed in response to item (3) above, disposed of or discharged into the Passaic River or a tributary of the River from either facility? If yes, identify the facility, the hazardous substances, estimate the amount of material discharged to or disposed of in the Passaic River and the frequency with which this discharge or disposal occurred. Also please include any sampling of the river which you might have done after any discharge or disposal.

8) For each facility:

a) Please identify any leaks, spills, explosions, fires or other incidents of accidental material discharge that occurred at the facility during which or as a result of which any hazardous substances, including, but not limited to, the substances listed in response to item (3), were released on the property into the storm drainage system at the facility or to the Passaic River. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials.



b) Please provide the results of any sampling of the soil, water, air or other media after any such incident and before and after clean-up. Please provide in this information all sampling performed for or by NJDEP.

9) a) Was either facility ever subject to flooding? If so, was the flooding due to:

i) overflow from sanitary or storm sewer back-up, and/or

ii) flood overflow from the Passaic River?

b) Please provide the date and duration of each flood event.

10) Please provide a detailed description of any civil, criminal or administrative proceedings against the Authority for violations of any local, State or federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal at either of the facilities. Please include a copy of and all information relating to the Administrative Consent Order entered into in April 1985 regarding remediation of ground water, surface and subsurface contamination at Avenue P facility. Also, provide copies of all pleadings and depositions or other testimony given in these proceedings.

11) For each facility:

a) Did you or anyone else sample the soil, ground water, surface water, ambient air or other environmental media at the facility for purposes other than those identified in questions above?

b) If so, please provide all other documents pertaining to the results of these analyses.

12) Answer the following questions regarding the Authority.

a) State the legal name of the Authority.

b) State the name and address of the president or the chairman of the board, or other presiding officers of the Authority.

13) Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) has personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. Please include the names and addresses

of former employees who were contacted to respond to any of the questions.

ATTACHMENT B

INSTRUCTIONS FOR RESPONDING TO REQUEST FOR INFORMATION

1. A complete separate response must be made to each individual question in this "Request for Information".
2. Precede each answer with the number of the question to which it is addressed.
3. In preparing your response to each question, consult with all current or former employees and agents of the Authority who may be familiar with the matter to which the question pertains.
4. Interpret "and" as well as "or" to include within the scope of the question as much information as possible. If two interpretations of a question are possible, use the one that provides more information.
5. If you are unable to give a detailed and complete answer or to provide any of the information or documents requested, indicate the reasons for your inability to do so.
6. If you have reason to believe that an individual other than one employed by the Authority may be able to provide additional details or documentation in response to any question, state that person's name, last known address, phone number and the reasons for your belief.
7. For each document produced in response to this "Request for Information", indicate on the document, or in some other reasonable manner, the number of the question to which it applies.
8. If anything is deleted from a document produced in response to this "Request for Information", state the reason for, and the subject matter of, the deletion.
9. Provide all documents that relate to each question. If a document is requested but is not available, state the reason for its unavailability. In addition, to the best of your ability, identify any such document by author, date, subject matter, number of pages, and all recipients and their addresses.
10. As used herein "relate to" or "relating to" means constituting, defining, containing, embodying, reflecting, identifying, stating, referring to, dealing with, or in any way pertaining to. "Document" as used herein means any recording of information in tangible form, including memoranda, handwritten notes, invoices, checks, manifests, tape recordings, computer databases, or any tangible or physical objects however produced or reproduced upon which words or other information "are affixed

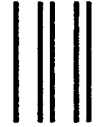
or recorded or from which by appropriate transcription written matter or a tangible thing may be produced.

11. Whenever in this "Request for Information" there is a request to identify a person or an entity other than a person, state the person or entity's full name, last known employment, present or last known home address, and telephone number.

12. As used herein, the term "facility," "hazardous substance," "person," and "release" shall have the meaning set forth in Section 101(9), (14), (21) and (22) of CERCLA, 42 U.S.C. §9601(9), (14), (21), and (22), respectively.

13. In answering these questions, every source of information to which you have access should be consulted, regardless of whether the source is in your immediate possession or control. All documents or other information, including records of all types of manufacturing, treatment, transportation or disposal operations, in your possession or in the possession of the Corporation should be consulted. If you do not have access to certain information and/or documents, state the nature of this information and/or documents, and indicate in whose possession they can be found.

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Permit No. G-10

• Print your name, address, and ZIP Code in this box •

Lance Richman  
U.S. EPA  
290 Broadway 19th FL.  
New York, N.Y. 10007

<b>SENDER:</b> <ul style="list-style-type: none"><li>■ Complete items 1 and/or 2 for additional services.</li><li>■ Complete items 3, 4a, and 4b.</li><li>■ Print your name and address on the reverse of this form so that we can return this card to you.</li><li>■ Attach this form to the front of the mailpiece, or on the back if space does not permit.</li><li>■ Write "Return Receipt Requested" on the mailpiece below the article number.</li><li>■ The Return Receipt will show to whom the article was delivered and the date delivered.</li></ul>		<b>I also wish to receive the following services (for an extra fee):</b> 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
<b>3. Article Addressed to:</b> Director Newark Housing and Redevelopment Authority 57 Sussex Avenue Newark, NJ 07103		<b>4a. Article Number</b> Z 136 605 794	
		<b>4b. Service Type</b> <input type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
		<b>7. Date of Delivery</b>	
<b>5. Received By: (Print Name)</b>		<b>8. Addressee's Address (Only if requested and fee is paid)</b>	
<b>6. Signature: (Addressee or Agent)</b> X			

PS Form 3811, December 1994

Domestic Return Receipt

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

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